



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 30, 2018

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *United States ex rel. Dr. Patricia A. Kelly, et al. v. City Medical Associates, et al.*,
15 Civ. 7261 (PGG)

Dear Judge Gardephe:

The Government respectfully writes to provide a status update to the Court. In an Order dated July 20, 2017, Your Honor granted the Government's motion to stay the proceedings in the above-mentioned case and directed the Government to advise the Court, every 90 days, as to the status of the related criminal case. (Dkt. 40; *see also* Dkt. 42).

The related criminal case, *United States v. Asim Hameedi, et al.*, 17 Cr. 137 (JGK), remains ongoing before Judge Koeltl. In late January and February 2018, the Government reached pretrial dispositions with all defendants charged in the related criminal case. As a result, the trial before Judge Koeltl, which had been scheduled for March 2018, was canceled. Five sentencings are scheduled for this summer and fall. The Government respectfully submits that a continuation of the stay is appropriate for at least two reasons. First, it may promote efficiency by enabling resolution of the civil and criminal cases together; these negotiations are currently ongoing. Second, if there are disputes at sentencing, witnesses—who will ultimately be deposed in the civil case—may need to testify at a *Fatico* hearing to resolve these disputes.

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

by: _____/s/_____
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cc: All Counsel of Record (via ECF)